

COUNTY OF SAN DIEGO

2014 SEP 18 AM 10 54

2014 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM

CLERK OF THE BOARD
OF SUPERVISORS

Contact Person: Janet Gonzalez Telephone Number: 619 409-6703

Name of Agency: Sweetwater Authority

Mailing Address: 505 Garrett Avenue, Chula Vista Ca 91910

This agency has reviewed its conflict of interest code and has determined that:

☒ **Amendments are necessary:** (Attach Amended Code) - w/submit by 11/14/14
(Check all that applies)

☒ Include new positions (including consultants) which must be designated

☒ Revise the titles of existing positions

☒ Delete titles of positions that have been abolished

☐ Delete positions that manage public investments

☐ Revise disclosure categories

☐ Other _____

☐ **No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: [Signature] Date: 9/10/14

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2014 to:**

Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>12/2/14</u>	Minute Order No. <u>23</u>
By: <u>[Signature]</u>	Date: <u>12/2/14</u>
Deputy Clerk of the Board Supervisors	



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October 16, 2014

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Highway, Room 402
San Diego, CA 92101-2471

Re: Sweetwater Authority -
Amendment of Conflict of Interest Code and Request for Notice

Dear Teresa:

Enclosed for review and approval by the Board of Supervisors is the amended Conflict of Interest Code of the Sweetwater Authority. The Code was amended by the Authority on October 8, 2014, by Resolution No. 14-20, a copy of which is also enclosed. As you can see by the enclosed legislative version of the Code, the amendment was done to include a new position that must be designated, revise titles of existing positions, delete a title of a position that has been abolished, revise disclosure categories and include clarifying language as provided by the Fair Political Practices Commission.

Please notify me when this matter will be submitted to the Board for approval. I would also appreciate a copy of the Resolution or Minute Order approving the Authority's amended Code.


COUNTY OF SAN DIEGO
2014 OCT 20 PM 3:11
CLERK OF THE BOARD
OF SUPERVISORS

BK
BEST BEST & KRIEGER
ATTORNEYS AT LAW

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
October 16, 2014
Page 2

Please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely,



Dianna Marie Valdez
Conflicts of Interests & Ethics Coordinator
for BEST BEST & KRIEGER LLP
General Counsel
Sweetwater Authority

:dmv

Encls:

Resolution of Adoption
Amended Conflict of Interest Code
Legislative Version of the Amended Code
2012 Biennial Notice

RESOLUTION 14-20

**RESOLUTION OF THE GOVERNING BOARD
OF SWEETWATER AUTHORITY ADOPTING
AN AMENDED CONFLICT-OF-INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees, and consultants of Sweetwater Authority (the "Authority") and requires all public agencies to adopt and promulgate a conflict-of-interest code; and

WHEREAS, the Governing Board adopted a Conflict-of-Interest Code (the "Code") which was amended August 8, 2012, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the Authority and the Act have made it advisable and necessary to amend and update the Authority's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Governing Board of Sweetwater Authority of the proposed amended Code was provided to each affected designated position and publicly posted for review at the offices of the Authority; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Governing Board on October 8, 2014, at which all present were given an opportunity to be heard on the proposed amended Code.

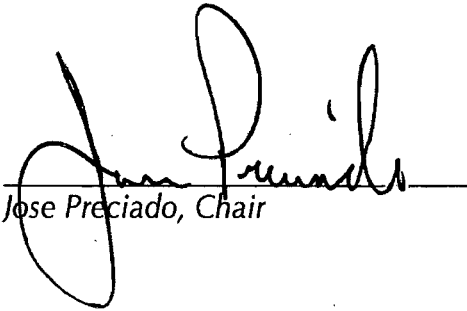
NOW, THEREFORE, BE IT RESOLVED by the Governing Board of Sweetwater Authority that the Governing Board does hereby adopt the proposed amended Code, a copy of which is attached hereto and shall be on file with the Board Secretary and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective immediately upon approval by the Board of Supervisors of the County of San Diego of the proposed amended Code as submitted.

RESOLUTION 14-20

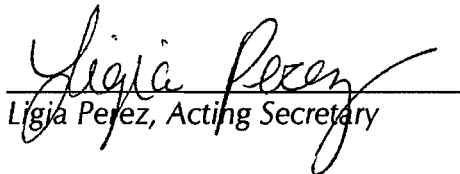
APPROVED AND ADOPTED this 8th day of October 2014, by the following vote:

AYES: Directors Pocklington, Preciado, Rubalcaba, Thomas, Van Deventer,
and Zamudio
NOES: None
ABSTAIN: None
ABSENT: Director Morrison



Jose Preciado, Chair

ATTEST:



Ligia Perez, Acting Secretary

CONFLICT OF INTEREST CODE
FOR THE
SWEETWATER AUTHORITY

CONFLICT OF INTEREST CODE FOR THE
SWEETWATER AUTHORITY

(Amended October 8, 2014)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Sweetwater Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the Authority's Filing Officer. The **Board Secretary** shall make and retain a copy of all statements filed by Members of the Governing Board and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Board Secretary** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SWEETWATER AUTHORITY

(Amended October 8, 2014)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the Authority's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Governing Board

General Manager

Treasurer

Director of Finance

Financial Consultants

¹

Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Manager	5
Administrative Assistant	4
Administrative Services Specialist	4
Assistant General Manager	2, 3, 4
Board Secretary/Administrative Assistant	4
Business Systems Programmer	5
Chief Systems Operator	5
Customer Service Manager	5
Customer Service Supervisor	5
Director of Administrative Services	4
Director of Distribution	5
Director of Engineering	3, 5
Director of Information Services	5
Director of Water Quality	3, 5
Distribution Manager (ALL)	5
Engineer	3, 5
Engineering Manager (ALL)	3, 5
Environmental Specialist	2, 5

LAW OFFICES OF
BEST BEST &

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
General Counsel	1, 2
Human Resources Manager	5
Information Systems Supervisor	5
Laboratory Supervisor	5
Principal Engineer	2, 3, 5
Principal Engineering Technician	2, 3, 5
Principal Engineering/Design Technician	2, 3, 5
Procurement Specialist	4
Program Manager	5
Program Specialist	5
Public Affairs Manager	5
Reservoir Operations Specialist	5
Safety Coordinator	5
Senior Planner	2, 3, 5
Systems Analyst	5
Systems Operator/Maintenance Superintendent	5
Water Treatment Superintendent	5
Watershed Manager	2, 5

LAW OFFICES OF
BEST BEST &

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant and New Positions²

² Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.³ Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

CONFLICT OF INTEREST CODE
FOR THE
SWEETWATER AUTHORITY

CONFLICT OF INTEREST CODE FOR THE
SWEETWATER AUTHORITY

(Amended October 8, 2014)

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All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the Authority's Filing Officer. The **Board Secretary** shall make and retain a copy of all statements filed by Members of the Governing Board and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Board Secretary** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE OF THE SWEETWATER AUTHORITY

(Amended October 8, 2014)

PART "A"

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General Manager

Treasurer

Director of Finance

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DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Manager	5
Administrative Assistant	4
Administrative Services Specialist	4
Assistant General Manager	2, 3, 4
Board Secretary/Administrative Assistant	4
Business Systems Programmer	5
Chief Systems Operator	5
Customer Service Manager	5
Customer Service Supervisor	5
Director of Administrative Services	4
Director of Distribution	5
Director of Engineering	3, 5
Director of Information Services	5
Director of Water Quality	3, 5
Distribution Manager (ALL)	5
Engineer	3, 5
Engineering Manager (ALL)	3, 5
Environmental Specialist	2, 5

LAW OFFICES OF
BEST BEST &

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
General Counsel	1, 2
Human Resources Manager	5
Information Systems Supervisor	5
Laboratory Supervisor	5
Principal Engineer	2, 3, 5
Principal Engineering Technician	2, 3, 5
Principal Engineering/Design Technician	2, 3, 5
Procurement Specialist	4
Program Manager	5
Program Specialist	5
Public Affairs Manager	5
Reservoir Operations Specialist	5
Safety Coordinator	5
Senior Planner	2, 3, 5
Systems Analyst	5
Systems Operator/Maintenance Superintendent	5
Water Treatment Superintendent	5
Watershed Manager	2, 5

LAW OFFICES OF
BEST BEST &

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
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² Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

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Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE

FOR THE

SWEETWATER AUTHORITY

CONFLICT OF INTEREST CODE FOR THE
SWEETWATER AUTHORITY

(Amended ~~August 8, 2012~~ October 8, 2014)

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APPENDIX

CONFLICT OF INTEREST CODE OF THE SWEETWATER AUTHORITY

(Amended ~~August 8, 2012~~ October 8, 2014)

EXHIBIT PART "A"

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GOVERNED BY THE CONFLICT OF INTEREST CODE

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Administrative Assistant	4
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Assistant General Manager	2, 3, 4
Board Secretary/ <u>Administrative Assistant</u>	4
Business Systems Programmer	5
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Customer Service Supervisor	5
Director of Administrative Services	4
Director of Distribution	5
Director of Engineering	3, 5
Director of Information Services	5
Director of Water Quality	3, 5
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Engineer	3, 5
Engineering Manager (ALL)	3, 5
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Human Resources Manager	5
Information Systems Supervisor	5
Laboratory Supervisor	5
Principal Engineer	2, 3, 5
Principal Engineering Technician	2, 3, 5
Principal Engineering/Design Technician	2, 3, 5
Procurement Specialist	4
Program Supervisor <u>Manager</u>	5
Public Affairs Manager	5
<u>Reservoir Operations Specialist</u>	<u>5</u>
Safety Coordinator	5
Senior Planner	4 , <u>2, 3, 5</u>
Systems Analyst	5
Systems Operator/Maintenance Superintendent	5
Water Conservation Coordinator <u>Program Specialist</u>	5
Water Treatment Superintendent	5
Watershed Coordinator	2 , 5
Watershed Manager	2, 5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
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EXHIBIT PART "B"

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